

Docket No.: M3477.0000/P011  
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
David R. Brown

Application No.: 09/507,466

Group Art Unit: 2872

Filed: February 22, 2000

Examiner: T. Nugyen

For: OPTICAL DEVICE, SYSTEM AND  
METHOD

#5  
Subst spec  
Incl  
8/6/01

SUBMISSION OF SUBSTITUTE SPECIFICATION

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Office Action dated February 1, 2001, Paper No. 3, enclosed is a clean copy and a marked-up copy of a substitute specification. Applicant respectfully requests acceptance and entry of the Substitute Specification.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. M3477.0000/P011. A duplicate copy of this paper is enclosed.

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AUG - 3 2001  
TECHNOLOGY CENTER 2800

Dated: August 1, 2001

Respectfully submitted,

  
By \_\_\_\_\_

Mark J. Thronson

Registration No.: 33,082

Christopher S. Chow

Registration No.: 46,493

DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 775-4742

Attorneys for Applicant

# AMENDMENT TRANSMITTAL LETTER

Docket No.  
M3477.0000/P011

Application No.  
09/507,466

Filing Date  
February 22, 2000

Examiner  
T. Nguyen

Group Art Unit  
2872

Applicant(s): David R. Brown

Invention: OPTICAL DEVICE, SYSTEM AND METHOD

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	16	- 20 =		x	0.00
Independent Claims	3	- 3 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Petition For Three Month EOT					890.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					<b>\$890.00</b>

☒ Large Entity

☐ Small Entity

☐ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.

☒ A check in the amount of \$ 1,780.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 04-1073  
as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Mark J. Thronson  
Attorney Reg. No.: 33,082

Christopher Chow  
46,493

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP  
2101 L Street NW  
Washington, DC 20037-1526  
(202) 775-4742

Dated: August 1, 2001

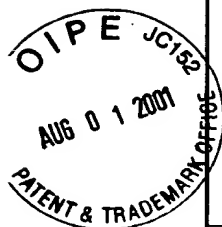
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PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/507,466
Filing Date	February 22, 2000
First Named Inventor	David R. Brown
Group Art Unit	2872
Examiner Name	T. Nugyen
Attorney Docket Number	M3477.0000/P011


Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)<br>Submission of Substitute Specification |
|---|---|--|

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP Mark J. Thronson
Signature	 Christopher Chow 46493
Date	August 1, 2001

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**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	09/507,466
Filing Date	February 22, 2000
First Named Inventor	David R. Brown
Examiner Name	T. Nugyen
Group Art Unit	2872
Attorney Docket No.	M3477.0000/P011

TOTAL AMOUNT OF PAYMENT (\$ 890.00

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

04-1073

Deposit  
Account  
Name☒ Charge Any Additional  
Fee Required Under  
37 CFR 1.16 and 1.17☐ Applicant claims small  
entity status. See  
37 CFR 1.27

- 2.
- ☒
- Payment Enclosed

☒ Check ☐ Credit Card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
16	-20** =	<input checked="" type="checkbox"/>	0.00
3	-3** =	<input checked="" type="checkbox"/>	0.00
Multiple Dependent			

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	890.00
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)					890.00

**SUBMITTED BY**

Name (print/type) Mark J. Thronson

Signature

Registration No.  
(Attorney/Agent)

33,082

Christopher Chow

**Complete (if applicable)**

Telephone (202) 775-4742

Date August 1, 2001

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